

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff(s),)	
)	
vs.)	Case No. 1:19-cr-00068-SRC-ACL
)	
ALONZO JONES,)	
)	
Defendant(s).)	

ORDER

This matter is before the Court on Defendant’s Motion to Suppress Evidence and Statements Obtained as Result of Search or Seizure [24]. Pursuant to 28 U.S.C. § 636(b), all pretrial motions were referred to United States Magistrate Judge Abbie Crites-Leoni.

In his Motion to Suppress, Defendant alleges that the informant whose information provided the probable cause for issuance of a Search Warrant for his home was not reliable. Defendant further claims that the Application and Affidavits that supported the issuance of the Search Warrant were not supported by probable cause. Defendant requests this Court to suppress the evidence seized pursuant to the Search Warrant, as well as the statements he made at his residence after being advised of his *Miranda* rights. This case is set for trial on January 21, 2020.

Judge Crites-Leoni held an evidentiary hearing on August 6, 2019, at which three law enforcement officers testified and were subject to cross-examination. On November 15, 2019, Judge Crites-Leoni issued a Report and Recommendation (“R&R”), recommending that Defendant’s Motion be denied. Doc. 39. On November 19, 2019, Judge Crites-Leoni issued an Amended Report and Recommendation, again recommending that Defendant’s Motion be

denied. Doc. 42. Defendant filed a general objection, objecting to the factual findings and conclusions of law in the Amended R&R for reasons stated in the Motion to Suppress, without any further specification or basis. Doc. 43.

When a party objects to a Report and Recommendation concerning a motion to suppress in a criminal case, the court is required to “make a *de novo* review determination of those portions of the record or specified proposed findings to which objection is made.” *United States v. Lothridge*, 324 F.3d 599, 600 (8th Cir. 2003) (quoting 28 U.S.C. § 636(b)(1)).

The Court conducted a *de novo* review of the Motion to Suppress, including reading the transcript of the testimony of witnesses and reviewing the exhibits introduced at the hearing. Based on that review, the undersigned concludes that the Magistrate Judge made proper factual findings and correctly analyzed the issues. For the reasons set forth more fully in the Amended R&R, the Court finds that the issuance of a Search Warrant was supported by probable cause and that the statements Defendant later made to law enforcement officers do not constitute fruit of the poisonous tree. Thus, after careful consideration, the Court overrules Defendant’s objection, and adopts and sustains the thorough reasoning of Magistrate Judge Crites-Leoni set forth in support of her recommended ruling.

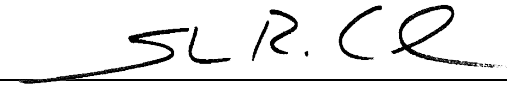
Accordingly,

IT IS HEREBY ORDERED that the Amended Report and Recommendation of the United States Magistrate Judge [42] is **SUSTAINED, ADOPTED, AND INCORPORATED** herein.

IT IS FURTHER ORDERED that Defendant's Motion to Suppress Evidence and Statements Obtained as Result of Search or Seizure [24] is **DENIED**.

This case remains set for trial on the trial docket beginning on January 21, 2020.

So Ordered this 30th day of December.



STEPHEN R. CLARK
UNITED STATES DISTRICT JUDGE